



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/347,947	07/06/1999	CHRISTOPHER J. LORD	042390.P5679	4568

7590 06/18/2003
MICHAEL ANTHONY DESANCTIS
BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP
12400 WILSHIRE BOULEVARD 7TH FLOOR
LOS ANGELES, CA 90025

EXAMINER

HARRIS, TIA M

ART UNIT	PAPER NUMBER
----------	--------------

2615

DATE MAILED: 06/18/2003

5

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/347,947

Applicant(s)

LORD ET AL.

Examiner

Tia M Harris

Art Unit

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 July 1999 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2, 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the encoder configured to encode the video data must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

2. The disclosure is objected to because of the following informalities: the difference between the functions of the comparator (222) and the differential generator (230) is not clear; there is no explanation of part (203) (Fig 1B); change "2d" to "201" (Pg 10, Line 1). Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-4, 6, 11-14, 19-22, and 24 are rejected under 35 U.S.C. 102(e) as being anticipated by Narayanaswami et al (hereafter referred to as Narayanaswami) (US 2003/0011684 A1).

Art Unit: 2615

(Claims 1, 11) Narayanaswami discloses a method of processing video data comprising the steps of accepting video data from a video source (section 0032, lines 1-8), and storing video information associated with the video data as the video data is being accepted, the video information being stored as annotations to the video data (section 0039, lines 1-6; section 0042, lines 10-17; section 0049, lines 21-23).

(Claims 2-4, 12, 20-22) Narayanaswami further discloses the video information comprises camera geometry information, camera pose information, and source identification/description/illumination information (see the table listed in section 0043).

(Claims 6 and 24) Narayanaswami further discloses the video source comprises a video capture device (section 0032, lines 1-8).

(Claims 13-14) Narayanaswami further discloses calibration software configured to generate the camera geometry information for the video data and pose estimation software configured to generate the camera pose information for the video data as the video data is being gathered by the video source and providing the generated camera geometry information and camera pose information to the collector (section 0034, line 5 – section 27; section 0039, lines 1-6).

(Claim 19) Narayanaswami further discloses a computer readable media containing executable computer program instructions which when executed on a digital processing system causes the system to perform the method discussed above (section 0033, lines 1-4).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2615

6. Claims 5, 7-10, 15-18, 23, and 25-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Narayanaswami in view of Epstein et al (hereafter referred to as Epstein) (US 6530021 B1).

(Claims 5, 15, 23) Narayanaswami discloses a method of processing video data as discussed above, but does not specifically disclose the video data comprises frame data obtained from an encoder.

It is well known to encode video data using MPEG coding for more efficient transmission of the data. Furthermore, it is also well known to embed a watermark in a MPEG video stream as taught by Epstein (col 4, lines 29-35). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to encode the video data of Narayanaswami to input the encoded video data into the annotation (watermark) in the manner taught by Epstein.

(Claims 7-10, 16-18, 25-28) Official Notice is given that in MPEG encoders, current and previous frames are compared and differential information is transmitted. Therefore, in keeping with MPEG encoding it would have been obvious to provide the recited state storage device, comparator and differential information generator with current and previous frame information in order to implement the MPEG coding, and append the differential information to the frame data as taught by Epstein.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tia M Harris whose telephone number is 703-305-4807. The examiner can normally be reached on M-F 8:30 am - 6:00 pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Christensen can be reached on 703-308-9644. The fax phone numbers for

Art Unit: 2615

the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-308-6606 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

tmh tmh
June 13, 2003



ANDREW CHRISTENSEN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600